

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

DAN RISK RETENTION GROUP, INC., )  
)  
Plaintiff, )  
)  
v. )

No. 1:21-cv-00218-TWP-MJD

BOTTOMS UP SCUBA INDY LLC Clerk's Entry )  
of Default entered 10/4/2021, )  
BOTTOMS UP SCUBA LLC Clerk's Entry of )  
Default entered 10/4/2021, )  
CLAYTON ST. JOHN Clerk's Entry of Default )  
entered 10/4/2021, )  
MICHAEL ELLIS, )  
)  
Defendants. )

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MICHAEL ELLIS, )  
)  
Counter Claimant, )  
)  
v. )

DAN RISK RETENTION GROUP, INC., )  
)  
Counter Defendant. )

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MICHAEL ELLIS, )  
)  
Third Party Plaintiff, )  
)  
v. )

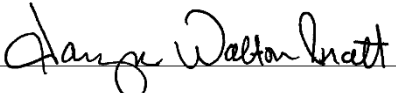
PADI WORLDWIDE CORP., )  
)  
Third Party Defendant. )

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Magistrate Judge submitted his Report and Recommendation on Third-Party Defendant Padi Worldwide Corp.'s Motion to Dismiss (Dkt. 102). The parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections; none were filed. The Court, having considered the Magistrate Judge's Report and Recommendation, hereby adopts the Magistrate Judge's Report and Recommendation. Padi's Motion to Dismiss (Dkt. 57) is **GRANTED** with respect to Ellis' Third-Party Claim against PADI and that claim is dismissed with prejudice.

IT IS SO ORDERED.

Date: 11/5/2021

  
Hon. Tanya Walton Pratt, Chief Judge  
United States District Court  
Southern District of Indiana

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